

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIDEOLABS, INC.,	§	
	§	Case No. 6:21-cv-00456-ADA
	§	
Plaintiff,	§	
	§	Jury Trial Demanded
vs.	§	
	§	
DELL TECHNOLOGIES INC. and DELL INC.,	§	
	§	
	§	
Defendants.	§	

JOINT REPORT REGARDING CASE NARROWING

In accordance with the Court’s April 27, 2023, Second Amended Scheduling Order, Plaintiff VideoLabs, Inc. and Defendants Dell Technologies and Dell Inc. submit this Joint Report regarding case narrowing.

In its Complaints, Plaintiff asserted nine claims across three patents: claim 1 of U.S. Patent No. 7,769,238; claims 1-4 of U.S. Patent No. 8,139,878; and claims 1-4 of U.S. Patent No. 7,970,059.

The parties met and conferred on April 17, 2023. In connection with the meet and confer, Defendants agreed to narrow their invalidity case via their opening expert reports. Defendants represented that they would focus, in their expert reports, on invalidity theories that were the subject of Dell interrogatories, including as discussed in the context of the parties’ negotiations about responses to various contentions interrogatories. At opening expert reports, Defendants

narrowed their obviousness case to the following grounds:¹

1. JVT-F100d2 + H.324 ('238 and '878 patents)
2. JVT-B118 + H.324 + JVT-B045 ('238 and '878 patents)
3. VCEG-N83 + H.324 + JVT-B045 ('238 and '878 patents)
4. JVT-B118 + H.324 + JVT-B045 + Karczewicz '701 ('238 and '878 patents)
5. VCEG-N83 + H.324 + JVT-B045 + Karczewicz '701 ('238 and '878 patents)
6. JVT-B118 + H.324 + JVT-B045 + Srinivasan '830 ('238 and '878 patents)
7. VCEG-N83 + H.324 + JVT-B045 + Srinivasan '830 ('238 and '878 patents)
8. JVT-B118 + H.324 + JVT-B045 + Karczewicz '701 + Srinivasan '830 ('238 and '878 patents)
9. VCEG-N83 + H.324 + JVT-B045 + Karczewicz '701 + Srinivasan '830 ('238 and '878 patents)
10. Karczewicz '307 + JVT-B045 ('238 and '878 patents)
11. Karczewicz '307 + JVT-B045 + Karczewicz '701 ('238 and '878 patents)
12. Karczewicz '307 + JVT-B045 + Srinivasan '830 ('238 and '878 patents)
13. Karczewicz '307 + JVT-B045 + Karczewicz '701 + Srinivasan '830 ('238 and '878 patents)
14. MPEG-4: Systems + JVT-D015d5 ('059 patent)
15. MPEG-4: Systems + JVT-B118 + Bjontegaard '387 ('059 patent)
16. MPEG-4: Systems + JVT-B118 + JVT-B045 ('059 patent)
17. Claim 1 of the '855 patent in view of the knowledge of a person skilled in the art ('238

¹ Defendants' asserted obviousness grounds each include the knowledge of those skilled in the art at the time the patents were filed.

and '878 patents)

18. Claim 1 of the '855 patent in view of JVT-B118 and H.324 ('238 and '878 patents)

19. Claim 1 of the '855 patent in view of VCEG-N83 and H.324 ('238 and '878 patents)

20. Claim 2 of the '896 patent in view of the knowledge of a person skilled in the art ('238 patent)

21. Claim 2 of the '896 patent in view of JVT-B118 and H.324 ('238 patent)

22. Claim 2 of the '896 patent in view of VCEG-N83 and H.324 ('238 patent)

23. Claim 1 of the '134 patent in view of the knowledge of a person skilled in the art ('878 patent)

24. Claim 1 of the '134 patent in view of JVT-B118 and H.324 ('878 patent)

25. Claim 1 of the '134 patent in view of VCEG-N83 and H.324 ('878 patent)

26. Claim 1 of the '144 patent in view of the knowledge of a person skilled in the art ('878 patent)

27. Claim 1 of the '144 patent in view of JVT-B118 and H.324 ('878 patent)

28. Claim 1 of the '144 patent in view of VCEG-N83 and H.324 ('878 patent)

29. Claim 1 of the '528 patent in view of the knowledge of a person skilled in the art ('059 patent)

30. Claim 1 of the '528 patent in view of JVT-B118 and MPEG-4: Systems ('059 patent)

During opening expert reports, Plaintiff maintained its nine asserted claims across the three asserted patents.

The parties met and conferred a second time on August 9, 2023. The parties reached no further agreement regarding case narrowing. The parties agree to continue discussing the issue of case narrowing and agree to update the Court if any further agreements are reached.

Dated: August 14, 2023

By: M. Elizabeth Day

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on August 14, 2023.

/s/ M. Elizabeth Day
M. Elizabeth Day